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NOTICE OF ALLOWANCE AND FEE(S) DUE

41505

7590

08/08/2008

WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION)
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

EXAMINER

ZIE, EDWARD

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 08/08/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,167	04/19/2004	James M. Alkove	MSFT-3491/306934.01	2413

TITLE OF INVENTION: RENDERING PROTECTED DIGITAL CONTENT WITHIN A NETWORK OF COMPUTING DEVICES OR THE LIKE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/10/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
Commissioner for Patents
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or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

41505 7590 08/08/2008

WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION)

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nonprovisional

NO

\$1440

\$300

\$0

\$1740

11/10/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
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ZEE, EDWARD

2135

726-029000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☐ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date

Typed or printed name

Registration No.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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			2135	

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 677 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 677 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/827,167

Applicant(s)

ALKOVE ET AL.

Examiner

EDWARD ZEE

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed on 01/17/08 and the telephonic interview conducted on 07/23/08.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/HOSUK SONG/
Primary Examiner, Art Unit 2135

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. As per MPEP 713.04, a separate interview summary form is not provided as the substance of the interview has been summarized herein.

Authorization for this examiner's amendment was given in a telephone interview with Joseph F. Oriti (No. 47,835) on July 23rd, 2008.

The application has been amended as follows:

Please replace Claims 1, 2, 5-7 and 11 as follows:

1. A method in connection with a first computing device ('transmitter') and a second computing device ('receiver') interconnected by a network, the transmitter for transmitting protected digital content to the receiver in a manner so that the receiver can access the protected digital content, the method comprising:

the transmitter receiving the protected digital content in encrypted form as originally provided by a content provider separate from the transmitter, the protected digital content received by the transmitter being encrypted and decryptable according to a content key (KD) to result in (KD(content));

the receiver registering with the transmitter for providing an indication to the transmitter that the receiver is a trusted component of the transmitter, the receiver registering with the transmitter by sending a registration request to the transmitter, the registration request including a unique identification of the receiver;

the transmitter validating the registration request;

the receiver sending a session request to the transmitter, the session request including an identification of the protected digital content to the transmitter, an action to be taken with the protected digital content, and ~~[[a]]the~~ unique identification of the receiver;

the transmitter receiving the session request from the receiver, determining from the unique identification of the receiver in the session request that the receiver is in fact registered to the transmitter, obtaining a digital license corresponding to the identified protected digital content in the session request, reviewing ~~a~~ policy set forth in the license to determine that the license allows the transmitter to provide access to the protected digital content to the receiver and also allows the action in the session request, and sending a session response to the receiver, the session response including the policy from the license, the unique identification of the receiver, and the content key (KD) for decrypting the ~~encrypted~~ protected digital content, ~~the content key (KD)~~ in the session response being protected in a form obtainable by the receiver, the receiver not receiving any license corresponding to the identified protected digital content from the content provider of the identified protected digital content in response to the session request;

the transmitter sending (KD(content)) to the receiver;

the receiver receiving the session response and (KD(content)) from the transmitter and not the content provider, retrieving the policy and the protected content key (KD) for decrypting the ~~encrypted~~ protected digital content from the session response, confirming that the policy allows the receiver to render the protected digital content, obtaining the content key (KD) from the protected form thereof in the session response, applying (KD) to (KD(content)) to reveal decrypted content obtained from the protected digital content, and then in fact rendering the decrypted content in accordance with the policy.

2. The method of claim 1 comprising:

the transmitter in conjunction with sending the session response also storing at least a portion of the session request and at least a portion of the session response in a transmitter session store;

the receiver receiving the session response from the transmitter and storing at least a portion of the session response in a receiver session store;

the receiver retrieving at least a portion of the session response from the receiver session store, and sending a transfer request to the transmitter based on the session response; and

the transmitter receiving the transfer request and retrieving the at least a portion of the session request and at least a portion of the session response from the transmitter store based on the transfer request, retrieving from the retrieved at least a portion of the session request and at least a portion of the session response the identification of the protected digital content, obtaining the protected digital content encrypted according to (KD) to result in (KD(content)), and sending a transfer response to the receiver including (KD(content)).

5. The method of claim 1 comprising the receiver sending a session request to the transmitter including a public key of the receiver (PU-R) and the transmitter sending a session response to the receiver including the content key (KD) for decrypting the protected digital content, wherein the content key (KD) is encrypted according to (PU-R).

6. The method of claim 1 comprising the receiver sending a session request to the transmitter including a public key of the receiver (PU-R) and the transmitter sending a session response to the receiver including a seed from which the content key (KD) for decrypting the protected digital content may be derived, the seed being encrypted according to (PU-R).

7. The method of claim 1 wherein the transmitter has a public-private key pair (PU-X, PR-X), and further comprising the transmitter obtaining the protected content key (KD) from the license as (PU-X(KD)), applying (PR-X) to (PU-X(KD)) to result in (KD), and then re-encrypting (KD) according to a public key of the receiver (PU-R) to result in (PU-R(KD)), the receiver decrypting the protected content key by applying a private key (PR-R) corresponding to (PU-R) to (PU-R(KD)) to result in (KD).

11. The method of claim 1 further comprising:

responsive to the registration request, the transmitter sending a registration response to the receiver, the registration response including a registration identification (ID) generated by the transmitter to identify the registration response, and the unique identification of the receiver, thereby forming a first nonce;

the receiver sending a port address of a port thereof and the registration ID to the transmitter;

the transmitter sending a proximity message to the receiver by way of the sent port address and concurrently noting a start time, thereby forming a second nonce;

the receiver upon receiving the proximity message at the port address thereof employing at least a portion of the registration response and the proximity message to generate a proximity value and sending a proximity response with the proximity value to the transmitter; and

the transmitter receiving the proximity response with the proximity value from the receiver and concurrently noting an end time, verifying the proximity value based on the first and second nonces, calculating from the noted start and end times an elapsed time, comparing the elapsed time to a predetermined threshold value, deciding from the comparison that the receiver satisfies a proximity requirement, and registering the receiver as being able to access protected digital content from such transmitter.

3. The following is an examiner's statement of reasons for allowance: The remarks submitted by the Applicant on January 17th, 2008 have been considered and are persuasive, in particular those found on page 11 and 12 of the correspondence. Therefore, Claims 1-20 are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWARD ZEE whose telephone number is (571)270-1686. The examiner can normally be reached on Monday through Thursday 9:00AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EZ
July 23, 2008

/HOSUK SONG/
Primary Examiner, Art Unit 2135